

This is the main revision needed to EPA's Worker Protection Standard, but there are others, as well, spelled out in the report by the Government Accountability Office (GAO).

To Congress:

1. Amend the FLSA to provide children in agriculture the same protections as children in other industries. Three key amendments are needed to achieve this result. First, the minimum age for hazardous work in agriculture must be raised from 16 to 18, so that all children in all employments will be protected equally. Second, the normal minimum age for non-hazardous work in agriculture must be raised from 14 to 16, in order to equalize the rules for all working children. Third, the restrictions on hours that children can work must be strengthened in agriculture, so that children in agriculture enjoy the same hours of work protections as all other children.

2. Amend the FLSA to provide a private right of action for child labor violations. Under existing federal law, if any child is employed in violation of the child labor requirements, only DOL can bring a lawsuit, and the penalty that is finally determined must be paid to the United States Treasury. In order to provide a greater incentive on the part of employers to comply with the law, lawsuits should also be permitted by children who are employed in violation of the law. The maximum employer liability for each violation should remain at the level for a penalty assessed by DOL (currently \$11,000), but the money in a private action should be paid by the employer to the child (or, in the case of a death, to the parents or guardians of the child). The inability of DOL to enforce the law adequately requires that others have a role in enforcement. FLSA minimum wage and overtime lawsuits are permitted both by DOL and by individual employees, and the FLSA should be amended to allow the same approach in child labor cases.

IN RECOGNITION OF JUDGE GARRY MALPHRUS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2005

Mr. WILSON of South Carolina. Mr. Speaker, I am honored to congratulate Judge Garry Malphrus, his family and friends, on his appointment to the Federal Immigration Court.

I am very grateful to represent the Malphrus family in Congress and one of the great honors of serving in Congress was having the opportunity on June 3rd to join in a swearing-in ceremony to recognize the achievements of a constituent. As a former attorney who has practiced immigration law, I know the importance of this judgeship.

Garry was born and raised in Jasper County, South Carolina, a son of the Lowcountry, which is in the district that I represent. Garry's impressive career track includes his graduation from Thomas Heyward Academy of Ridgeland and his further education at the University of South Carolina for his undergraduate and law degrees. Garry was a law clerk to Federal Judges Chauncey Patterson and Dennis Shedd. I particularly appreciate the importance of clerkships because Judge Dennis Shedd was a clerk in our office. Garry

also worked on the Senate Judiciary Committee for South Carolina's former Senior Senator Strom Thurmond and was an attorney for the current Bush Administration. I know he will do well with that list of former employers.

Not only do I want to congratulate Garry, but I also want to congratulate the people who helped make this possible, his family; Judy and Donnie Malphrus, his brother Barry and sister Kim and his grandmother Lorene Langford.

Garry has been instrumental in furthering the cause of justice for many years through his work on the judiciary committee and political campaigns.

Garry has been involved for campaigns, including mine, for as long as I can remember. He and his brother Barry actually recruited my chief of staff, Eric Dell, involving him in politics for the first time in 1986 as a volunteer in the gubernatorial race of Congressman Carroll Campbell in his successful election. I always enjoyed seeing Garry and Barry at state conventions; it was encouraging to see their bravery and enthusiasm to be dedicated activists in a county where they were a persistent political minority.

In the seventeen years I served in the South Carolina Senate, I had the opportunity to vote on dozens of candidates for judgeships and appoint numerous magistrates. In every election, I looked for judicial temperament of a person who would respectfully give every participant a respectful day in court, no matter who they were or what they looked like. I am confident Garry possesses this unique quality.

Again, I want to congratulate Garry, his family, and friends on his appointment as a federal immigration judge and wish him success and Godspeed.

PERSONAL EXPLANATION

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2005

Mrs. JONES of Ohio. On House rollcall vote No. 239, H.J. Res. 27 a bill "Withdrawing approval of the United States from the Agreement establishing the World Trade Organization." I voted "yea" on this vote, and intended to vote "no." I am asking that the record show that I am supportive of the United States membership in the World Trade Organization.

LET'S KEEP FAMILIES TOGETHER

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2005

Mr. FILNER. Mr. Speaker. I rise today because legal immigrants and their families need our help.

As Congress continues to debate ways to address illegal immigration, we must remember the many hard-working legal immigrants that contribute so much to our nation's economy and culture. In Congress' zeal to crack down on illegal immigration, it has unfairly punished many of these legal immigrants.

That's why I invite all my colleagues to join my fight to reverse certain unfair provisions of so-called "immigration reforms" instituted by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. This law has allowed stable, long-term families headed by legal immigrants to be torn apart because of minor crimes committed years ago—crimes for which the offenders have already served their sentences.

A basic legislative attempt to fix this law was passed by the House of Representatives in the 106th Congress, but it was never taken up by the Senate. So I have re-introduced my "Keeping Families Together" Act (H.R. 2865). This bill would reinstate judicial review to the immigration process, restore the definition of aggravated felony that existed prior to 1996, end the practice of automatically detaining productive members of our society for minor crimes they committed years ago and for which they have already served their sentence, and allow legal immigrants previously deported to appeal that decision.

Please join me in supporting this critical legislation to restore justice to our immigration processes and keep families together.

INTRODUCING A BILL TO CLEAR TITLE TO TWO PARCELS OF LAND LOCATED ALONG THE RIO GRANDE IN ALBUQUERQUE, NEW MEXICO

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2005

Mrs. WILSON of New Mexico. Mr. Speaker, I rise today to introduce the Albuquerque Biological Park Title Clarification Act. This legislation would assist the City of Grande.

The Albuquerque Biological Park is a distinctive environmental museum comprising four facilities: Albuquerque Aquarium, Rio Grande Botanic Garden, Rio Grande Zoo and Tingley Beach Aquatic Park. In 1997, as part of an effort to improve these facilities, the City purchased two properties from the Middle Rio Grande Conservancy District (MRGCD) for \$3,875,000.

The City had been leasing the first property, Tingley Beach, from MRGCD since 1931. The City had been leasing the second property, San Gabriel Park, from the MRGCD since 1931. Both properties had been used as public parks.

In 2000, the U.S. Bureau of Reclamation interrupted the City's plans when it asserted that it had acquired ownership of all of MRGCD's property associated with the Middle Rio Grande Project in 1953. This called into question the validity of the City's title to the properties. The City cannot move forward with its plans to improve the properties until the titles are cleared.

The legislation is narrowly drafted to affect only the two properties at issue and leaves the main dispute concerning title to project works for the courts to decide. This important legislation will allow the City to move forward with a project that will provide residents and visitors with exciting new recreational opportunities.